

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

MARK ROGERS,

Petitioner,

3:02-cv-00342-GMN-VPC

vs.

**ORDER**

TIMOTHY FILSON, *et al.*,

Respondents.

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In this capital habeas corpus action, which is on remand from the court of appeals, the petitioner, Mark Rogers, filed his brief on April 25, 2016, setting forth his position with respect to the issues to be addressed on remand (ECF No. 174). Rogers also filed a motion for evidentiary hearing (ECF No. 175). On September 12, 2016, respondents filed their responsive brief on the merits of Rogers' claims (ECF No. 189), and a response to Rogers' motion for evidentiary hearing (ECF No. 190).

After two extensions of time -- the first for 56 days, and the second for 30 days -- Rogers was due on January 11, 2017, to file his reply brief regarding the issues on remand and his reply in support of his motion for evidentiary hearing. *See* Order entered October 17, 2016 (ECF No. 192); Order entered December 13, 2016 (ECF No. 194).

On January 11, 2017, Rogers filed a motion for extension of time (ECF No. 196), requesting a further extension of time, to January 18, 2017 -- a 7-day extension of time. Rogers' counsel states

1 that the extension of time is necessary primarily because of their obligations in other cases. The  
2 court finds that the motion for extension of time is made in good faith and not solely for the purpose  
3 of delay, and that there is good cause for the extension of time requested. The court will grant the  
4 extension of time as requested.

5 *The court will not be inclined to further extend this deadline absent extraordinary*  
6 *circumstances.*

7 **IT IS THEREFORE ORDERED** that petitioner's motion for extension of time (ECF No.  
8 196) is **GRANTED**. Petitioner shall have until and including **January 18, 2017**, to file his reply  
9 brief regarding the issues on remand and his reply in support of his motion for evidentiary hearing.

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11 Dated this 13 day of January, 2017.

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15 UNITED STATES DISTRICT JUDGE  
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